

the Order Paper, as it did yesterday, and the motion has been filed as it was yesterday—it was filed at 1.12 p.m. yesterday—that triggered off a procedure which at that point could not be stopped. It could only be stopped, in my submission, by unanimous consent. That speaks to the further point which I do not want to dwell on. It is the other part of the question, that the motion could only be removed from the Order Paper with unanimous consent. Of course, there was not unanimous consent.

It is well to put this debate into the context of what the House intended by allotted days. It is important to bear in mind what exactly the Standing Order had intended by these allotted days. Anyone who was here prior to 1965 when these Standing Orders were brought in on a provisional basis will know that we had at that time the committee of supply. The committee of supply was a committee of the whole House before which all the estimates were examined without regard to time. The estimates were brought before the committee of supply, the committee of the whole House, and it was the opposition which determined when the estimates would be passed by the committee of supply and returned back to the House.

I agree that was not an entirely satisfactory procedure because it sometimes caused serious problems. I remember one occasion when it resulted in the government not being able to meet the public service payroll and having to resort to Governor General's warrants. Everybody realized something had to be done to replace that procedure.

The procedure which replaced it, allotted days under the provision of Standing Order 58, is not entirely satisfactory. It is well for the House and the Chair to note that these Standing Orders we are now operating under were in fact passed by the invocation of closure in 1968. The reason the government had to invoke closure to bring in these Standing Orders in 1968 was that many members of the House at that time were very concerned with what would happen to the right of the House to hold the government accountable, particularly on the way it managed the budget.

● (1440)

If you look at Standing Order 58(14), you will find, I think, that it makes the point very well which I am trying to make. All estimates are now referred to a committee. Standing Order 58(14) says:

Each such committee shall consider and shall report, or shall be deemed to have reported, the same back to the House not later than May 31 in the then current fiscal year.

That is why these 25 allotted days are critically important to the House. The 25 days were not picked out of a hat. It was based upon the experience of the House and the number of days that the committee of supply dealt with estimates. In other words, in place of the estimates being referred to the Committee of the Whole House, we were given the 25 allotted days.

Of course, within the 25 allotted days, provision was made for a number of these days to be used for non-confidence

motions. These non-confidence motions replaced the motions that were brought in previously under the old supply procedure whereby no notice was required and no notice was given. When the opposition stood up to bring in a motion under supply which was non-confidence in the government, all the ministers had to sit there wondering which one would be the target of that particular motion. That was the procedure. There was some dissatisfaction and the government felt that it was not really the way to run the House. There was agreement that there had to be another procedure to replace that one.

The hon. member for York East (Mr. Collette) said it is worth examining this whole question. I also think it is worth examining. I think, Madam Speaker, that you would be well advised to urge the government House leader to convene a meeting or make a reference to the Standing Committee on Procedure and Organization so that the House can be officially seized of this question and thereby enable us to examine the Standing Orders in the context of the experience that we have had since the present Standing Orders were adopted.

I repeat that it is my submission that agreement was reached on the allocation of an allotted day, and once agreement was reached, that allotted day would be a votable motion, one of the motions of non-confidence provided for in the 25 allotted days, and once the motion in accordance with our agreement was tabled, it then ceased to be government business. At that point in time it was out of the control of the government. It could only be changed by unanimous consent of the House.

I respectfully submit to you that that is the crux of the argument. The government House leader stood in his place yesterday at three o'clock and unilaterally did what he did not have the right to do under the Standing Orders: to change what had been unanimously agreed to by his colleagues. The process was already in play by virtue of the required notice appearing on the Order Paper and the motion, which should have been the subject of debate today, already having been filed by the Right Hon. Leader of the Opposition (Mr. Clark).

Right Hon. Joe Clark (Leader of the Opposition): Madam Speaker, I think I can be very brief in speaking to this point of order. There are one or two matters which have been raised and require some response.

If I understood the position being put forward by the parliamentary secretary to the government House leader correctly, part of his argument, which was technical and perhaps not central to what he was arguing, was that since the references to allotted days appeared in the Order Paper section known as notices, that made it somehow less compelling than if it had appeared elsewhere in the Order Paper. I am sure it was only momentarily overlooked by the parliamentary secretary but I think it is important that the House understand and recall that motions for concurrence on estimates are also listed in the same place and stay in their same place until they are called. That part of the Order Paper is an integral part of the Order Paper.